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AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

DEC 27 2007

DOCKETED BY

[Signature]

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION
OF JOHNSON UTILITIES COMPANY FOR
AN EXTENSION OF ITS EXISTING
CERTIFICATE OF CONVENIENCE AND
NECESSITY FOR WASTEWATER
SERVICE.

DOCKET NO. WS-02987A-04-0889

**NOTICE OF FILING AND
REQUEST FOR ORDER TO
RELEASE AND EXTEND
CERTAIN COMPLIANCE
REQUIREMENTS OF DECISION
NO. 68236**

Johnson Utilities, LLC, ("Johnson" or the "Company") hereby files this Notice of Filing and Request for an Order regarding compliance with the Subject Decision on the bases set forth herein.

1. The Compliance Items set forth in Decision No. 68236, dated October 25, 2005, (the "Decision") regarding subsequent filings to be made by the Company related to that Certificate of Convenience and Necessity Extension Application included a quarterly status report on the pending La Osa and Sonoran litigation, and the posting of a \$500,000 performance bond pertaining to that litigation. Attached hereto as **Exhibit 1** is the Notice of Settlement concluding that litigation.

2. The Decision also required the Company to file a Rate Application no later than May 1, 2007, based on a 2006 Test Year. The Company made timely requests for extension of

1 that compliance date and most recently the Staff recommended extending the filing date to March
2 31, 2008 utilizing a 2007 test Year. A copy of the September 18, 2007 Staff recommendation
3 was attached to the Company's October 1, 2007 "REQUEST FOR PROCEDURAL ORDER TO
4 EXTEND COMPLIANCE DATE OF DECISION NO. 68236".

5 WHEREFORE, the Company respectfully requests that the Hearing Division issue a
6 Procedural Order or a Recommended Opinion and Order including provisions that: (1) remove
7 the required quarterly status reports on the concluded La Osa and Sonoran litigation, (2) release
8 the \$500,000 performance bond duly posted by the Company and the quarterly confirmation
9 letter thereof, and (3) extend the compliance dates as recommended by Staff for filing the Rate
10 Application to March 31, 2008, utilizing a 2007 Test Year.

11 RESPECTFULLY submitted this 27th day of December 2007.

12 SALLQUIST, DRUMMOND & O'CONNOR, P.C.

13
14 By: 

15 Richard L. Sallquist

16 Attorneys for Johnson Utilities Company
17
18
19
20
21
22
23

1
2 Original and fifteen copies of the
3 foregoing filed this 27th day
of December 2007:

4 Docket Control
5 Arizona Corporation Commission
6 1200 West Washington
Phoenix, Arizona 85007

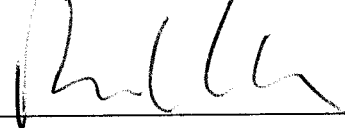
7 A copy of the foregoing
8 mailed/hand delivered this
27th day of December 2007, to:

9 Brian C. McNeil
10 Arizona Corporation Commission
Executive Secretary
11 1200 West Washington Street
Phoenix, Arizona 85007

12 Hearing Division
13 Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

14 Utilities Division
15 Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

16 Legal Division
17 Arizona Corporation Commission
1200 West Washington
18 Phoenix, Arizona 85007

19 
20 _____

1 Robert R. Berk, Bar #010162
John M. DiCaro, Bar #017990
2 Russell R. Yurk, Bar #019377
JONES, SKELTON & HOCHULI, P.L.C.
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Phoenix, Arizona 85012
4 Telephone: (602) 263-1781
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5 rberk@jshfirm.com
minuteentries@jshfirm.com

6 Attorneys for Defendants, George H. Johnson and Jana S. Johnson;
7 George H. Johnson Revocable Trust, and George H. Johnson and
Jana Johnson, Co-Trustees; Johnson International Inc.; The Ranch
8 at South Fork, L.L.C.; General Hunt Properties, Inc.; Atlas
Southwest, Inc.
9

10 **SUPERIOR COURT OF THE STATE OF ARIZONA**

11 **COUNTY OF MARICOPA**

12 STATE OF ARIZONA, et al.,

13 Plaintiffs,

14 v.

15 GEORGE H. JOHNSON and JANA S.
JOHNSON, husband and wife, et al.,

16 Defendants.

NO. CV2005-002692

NOTICE OF SETTLEMENT

(Non-Classified Civil-Complex)

(Assigned to the Honorable
John A. Buttrick)

19 GEORGE H. JOHNSON, et al.,

20 Counterclaimants,

21 v.

22 ARIZONA DEPARTMENT OF
23 ENVIRONMENTAL QUALITY, et al.,

24 Counterdefendants.
25
26

1 Undersigned counsel hereby notify the Court that the following claims in this case
2 have been settled through mediation:

3 1. All claims by Plaintiff State of Arizona against George H. Johnson and Jana
4 S. Johnson; George H. Johnson Revocable Trust, and George H. Johnson and Jana
5 Johnson, Co-Trustees; Johnson International Inc.; The Ranch at South Fork, L.L.C.;
6 General Hunt Properties, Inc.; Atlas Southwest, Inc.; Karl Andrew Woehlecke and Lisa
7 Woehlecke; Jack McCall; and 3F Contracting, Inc. only.

8 2. All counterclaims by Counterclaimants George H. Johnson and Johnson
9 International, Inc. against Counterdefendants Arizona Department of Environmental
10 Quality, Stephen Owens and Karen Owens, Office of the Attorney General, and Terry
11 Goddard and Monica Goddard.

12 The parties are preparing formal settlement agreements and anticipate filing formal
13 stipulations to dismiss these claims in the near future.

14 RESPECTFULLY SUBMITTED this 30th day of November, 2007.

15 JONES, SKELTON & HOCHULI, P.L.C.

16
17 By /s/ John M. DiCaro

18 Robert R. Berk
19 John M. DiCaro
20 Russell R. Yurk
21 2901 North Central Avenue, Suite 800
22 Phoenix, Arizona 85012
23 Attorneys for Defendants George H. Johnson and
24 Jana S. Johnson; George H. Johnson Revocable Trust,
25 and George H. Johnson and Jana Johnson, Co-
26 Trustees; Johnson International Inc.; The Ranch at
 South Fork, L.L.C.; General Hunt Properties, Inc.;
 Atlas Southwest, Inc.

1 OFFICE OF THE ARIZONA ATTORNEY GENERAL

2 By /s/ Steven A. LaMar

3 Steven A. LaMar
4 Isaiah Fields
5 Assistant Attorneys General
6 1275 W. Washington St.
7 Phoenix, AZ 85007
8 Attorneys for Plaintiff State of Arizona

9 MARGRAVE CELMINS WHITEMAN, P.C.

10 By /s/ Lat J. Celmins

11 Lat J. Celmins, Esq.
12 Michael L. Kitchen, Esq.
13 Patrick J. Van Zanen, Esq.
14 8171 East Indian Bend Road, #101
15 Scottsdale, Arizona 85250
16 Attorneys for Counterclaimants George H. Johnson
17 and Johnson International, Inc.

18 OFFICE OF THE ARIZONA ATTORNEY GENERAL

19 By /s/ Lisa K. Hudson

20 Lisa K. Hudson, Esq.
21 Michael K. Goodwin, Esq.
22 Assistant Attorneys General
23 1275 W. Washington Street
24 Phoenix, Arizona 85007-2997
25 Attorneys for Counterdefendants

26 HARRY L. HOWE, PC

By /s/ Harry L. Howe

Harry L. Howe, Esq.
10505 N. 69th Street, Suite 101
Scottsdale, AZ 85253-1479
Attorneys for Defendants Karl Andrew
Woehlecke and Lisa Woehlecke

DOYLE, BERMAN MURDY, P.C

By /s/ Scott McClure

William H. Doyle, Esq.
Scott McClure, Esq.
3300 N Central Avenue, Suite 1600
Phoenix, AZ 85012-0001
Attorneys for Defendant 3-F Contracting

O'CONNOR & CAMPBELL, P.C.

By /s/ Ronald C. Archibeque

Ronald C. Archibeque, Esq.
3838 N. Central Avenue, Suite 1800
Phoenix, AZ 85012
Co-Counsel for Defendant 3-F Contracting

THE FOREGOING e-served via
LexisNexis File and Serve this 30th day
of November, 2007, to:

The Honorable John. A. Buttrick
Maricopa County Superior Court
Central Court Building, 7D
201 West Washington Street,
Phoenix, Arizona 85003-2243
Telephone: (602) 506-0971

COPY of the foregoing e-served via
LexisNexis File and Serve this 30th day
of November, 2007, to:

Brenda K. Radmacher, Esq.
WOOD SMITH HENNING & BERMAN, LLP
2525 East Camelback Rd., Suite 720
Phoenix, AZ 85016-4219
Telephone: (602) 441-1300
Fax: (602) 441-1350
Email: bradmacher@wshblaw.com
Attorney for Defendant Bill Preston Well Drilling
dba Preston Well Drilling

THE FOREGOING mailed via U.S. Mail this 30th
day of November, 2007, to:

Jack McCall
McCall Excavation
P.O. Box 526
119 East Central
Eager, Arizona 85925
Pro Per

/s/Diane Mari